

REMARKS

Claims 1-3, 10-12, and 19-21 have been amended. Claims 1-27 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 102(e) Rejection:

The Examiner rejected claims 1, 3-5, 7, 9, 10, 12-14, 16, 18, 19, 22, 23, 25 and 27 under 35 U.S.C. § 102(e) as being anticipated by Patel et al. (U.S. Patent 6,865,185) (hereinafter “Patel”). Applicants respectfully traverse this rejection for at least the following reasons.

Regarding claim 1, Patel fails to disclose *wherein said request includes information indicating at least one of a current user role or a time constraint*. The Examiner cited FIG. 1 and column 12, lines 6-10 as teaching that each packet contains a user identifier. However, claim 1 has been amended to no longer refer to a user identifier. Applicants note that nothing in this passage, or elsewhere in Patel, describes a request that is received and propagated within a server system, wherein the request includes information indicating a user role or a time constraint, and wherein a quality of service context is established based on the information included in the request and the policy data, wherein the quality of service context is propagated with the request, as recited in claim 1.

Applicants remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every limitation of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed above, Patel fails to disclose receiving a request that includes a current user role or a time constraint and establishing a

quality of service based on the information that includes the current user role or time constraint, wherein the quality of service context is propagated with the request. Therefore, Patel cannot be said to anticipate claim 1.

Claims 10 and 19 include limitations similar to those of claim 1, and so the arguments presented above apply with equal force to these claims, as well.

Regarding claim 3, Patel fails to disclose *wherein said quality of service context includes information indicating service class and a deadline*. The Examiner previously cited column 8, lines 26-28 as teaching forwarding a quality of service context that includes information indicating a service class. However, nothing in this passage, or elsewhere in Patel, describes forwarding a quality of service context that also includes information indicating a deadline, as recited in claim 3. Therefore, Patel cannot be said to anticipate claim 3.

Claims 12 and 21 include limitations similar to those of claim 3, and so the arguments presented above apply with equal force to these claims, as well.

Section 103(a) Rejection:

The Examiner rejected claims 2, 11 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Patel in view of Subramanian, et al. (U.S. Publication 2002/0116488) (hereinafter “Subramanian”), claims 6, 15 and 24 as being unpatentable over Patel in view of Zara, et al. (U.S. Patent 7,206,848) (hereinafter “Zara”), claims 8, 17 and 26 as being unpatentable over Patel in view of Vange (U.S. Publication 2002/0059170).

In regard to the rejections under both § 102(e) and § 103(a), Applicants assert that numerous other ones of the dependent claims recite further distinctions over the cited art. Applicants traverse the rejection of these claims for at least the reasons given above in

regard to the claims from which they depend. However, since the rejections have been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time. Applicants reserve the right to present additional arguments.

CONCLUSION

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-90800/RCK.

Respectfully submitted,

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